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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,722	12/28/2001	Michael A. Campbell	14863RRUS01U	4143

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EXAMINER

NGUYEN, DUC MINH

ART UNIT	PAPER-NUMBER
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2643

DATE MAILED: 04/08/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,722

Applicant(s)

CAMPBELL, MICHAEL A.

Examiner

Duc Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-12 and 14-18 is/are rejected.
- 7) ☒ Claim(s) 4-5 and 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6-12, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Ung et al (US2003/0008635A1).

Consider claims 1, 6-7, 11-12. Ung teaches a method and system of crediting a balance of a prepaid subscriber account in a telecommunication network, comprising receiving a voucher transaction, the voucher transaction including a voucher balance (replenish balance \$25.00 or \$50.00) and a voucher discount value (\$0.35 or \$0.25 per minute; page 2, paragraph 0018); obtaining an account balance and an account discount value of an account associated with the voucher transaction (current stored dollar balance and plan rate; page 3, paragraphs 0041-0045); and calculating a composite balance and a weight discount, the weight discount is a function of the voucher balance, the voucher discount value, the account balance, and the account discount value (page 3, paragraphs 0041-0047). Scratch card log (407, page 3, prg. 0040) reads on the second database and the subscriber account database (403, page 3, prg. 0048) reads on the first database.

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Consider claim 2. Ung further teaches receiving a voucher transaction including an account id that specifies the account associated with the voucher transaction (page 3, paragraph 0038).

Consider claims 3, 14. Ung's figs. 2-3 read on the limitations of this claim.

Consider claims 8, 15. Ung further teaches a balance field and discount field (adjusted balance 504 and latest plan rate 506).

Consider claim 9. Ung's fig. 1 reads on the limitations of this claim.

Consider claim 10. Ung's fig. 1 reads on the limitations of this claim.

3. Claims 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Lesley (6,188,752).

Consider claim 16. Lesley teaches a computer-readable medium having stored thereon a set of instruction to be executed, the set of instruction, when executed by a processor cause the processor to perform a computer method of reading a subscriber id (figs. 2-3, subscriber account number, pre-pay account number and PIN; col. 6, ln. 65 to col. 7, ln. 13); retrieving an account balance and an account discount value (i.e., rate information; col. 8, ln. 35-38) of an account record associated with the subscriber id (col. 7, ln. 25-33); initiating a timer upon a call set up attributed to a subscriber having the account assigned thereto (col. 8, ln. 31-54); and deducting units from the account balance, the units deducted based upon a timed call duration accumulated by the timer, an airtime rate, and the account discount value (start time, elapsed time, rate information; col. 8, ln. 31-54).

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Consider claim 17. Lesley further teaches that deducting units from the account further comprises deducting a product of the timed call duration, the airtime, and the discount value from the account balance (start time, elapsed time, rate information; col. 8, ln. 31-54).

Consider claim 18. Lesley further inherently teaches terminating deductions from the balance upon call termination; and writing the balance having the units deducted therefrom in the record.

Allowable Subject Matter

4. Claims 4-5, 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is 703-308-7527. The examiner can normally be reached on 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duc Nguyen
Primary Examiner
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4/2/04